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EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the question occurs on the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Susan Paradise Baxter, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Paradise Baxter nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the question occurs on the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Nancy E. Brasel, of Minnesota, to be United States District Judge for the District of Minnesota.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Brasel nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senator from Wyoming.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JOHN MCCAIN

Mrs. FEINSTEIN. Mr. President, I have been watching as Senators have come to the floor over the past couple days to pay tribute to John McCain, to share their stories, and to reflect on a full life of service to his country.

I have known John McCain for 25 years, not as long as some of my col-

leagues, but long enough to take the measure of the man and to appreciate his dedication to his family, to the U.S. military, to the Senate, to Arizona, and to the Nation.

He was a statesman and a global citizen, and our loss is all the deeper because we are living in a time where people like John are in short supply.

Like many others, I had my disagreements with John and found myself on the wrong end of his temper, but more often, I saw him as a man of ideals and a man who stood up for what he believed in.

For me, nowhere was this as strong and clear as on the issue of torture, and I wanted to talk a little bit about that today and really to share my appreciation for him.

It was June 2013, and John McCain and I were visiting Guantanamo Bay, Cuba, to see the detention facilities that had been hastily put together after the invasion of Afghanistan in September 2001. It was a hot, sunny, sultry day. We had toured the base, received briefings and boxed lunches from the commander, and looked at three separate detention facilities.

It was clear that the officers and enlisted personnel were working under difficult conditions, dealing with enemy combatants with little contact with the outside world and no sense of what would happen to them.

John McCain, as always, praised the troops for their service and took whatever time was required to take pictures with them, but he, like me and like Presidents Bush and Obama, had called for Guantanamo to shut down.

I remember we were flying home on the last flight of the day—after two boat rides, after seeing the facility where forced intubations were done to feed hunger-striking detainees, and after hearing about the daily infractions committed by the detainees against the guards.

The conversation turned to the conditions of detention we had just seen and the detainees being held at Naval Station Guantanamo Bay.

John opened up about his years in the Navy and his time as a prisoner of war.

I learned for the first time the depth and breadth of his suffering, but also his perseverance and his intensity.

John told us about his years as a captive in Hanoi and how one of the things he and his fellow prisoners did was work out a tap code, similar to Morse code.

They tapped on walls, day after day, year after year. They tapped out messages. I read earlier this week of an account of tapping out poems that other POWs had learned in school.

So there we were on that airplane, flying to Washington from Guantanamo Bay, and John starts tapping, speaking using his code. After all those years, he could still use the tap code like second nature.

John was unusual, but in a very good way.

As the son and grandson of admirals, John was born and bred in military tradition and the ideals of public service. He worried that he wouldn't live up to his family's traditions or expectations. John often joked about how bad of a student he was at Annapolis, but even though his father was an admiral and he could have used the help, John never sought nor accepted special treatment.

John was brutalized. Although both arms and a leg were broken in a plane crash in Vietnam, he received no medical treatment. His torturers regularly beat him, rebreaking one arm and cracking his ribs. He was held in solitary confinement for years, in unimaginable conditions.

When the North Vietnamese offered to release John early, he refused. Other servicemen had been in custody longer, and he wasn't going to allow his father and his grandfather's position to bring him special favor.

But John was able to emerge from that hell with a sense of humor and such an amazing strength of purpose. How he did so is simply remarkable.

I knew John for decades, but it was just in the last 5 years that I worked particularly close with him on the issue of torture.

He was already recognized in the Senate as the leader on torture issues, having recently authored the Detainee Treatment Act and important amendments to the Military Commissions Act to ban cruel, inhuman, and degrading treatment or punishment during the Bush administration.

Starting in 2009, the Intelligence Committee began work on what ended up being a 7,000-page report on the CIA detention and interrogation program after 9/11.

By the time we were finishing the report, John was chairman of the Armed Services Committee.

As an ex officio member of the Intelligence Committee, he was aware of what our investigation had found, and he knew how controversial our findings would be. Nonetheless, he approached me and said he wanted to help. To say I was grateful would be an understatement.

John had an innate and immutable sense of what was right. More to the point, he knew from personal experience what torture can do, and he knew that torture doesn't work to elicit accurate information. It is wrong, and we shouldn't practice it.

I remember the day we released the report. I spoke on the floor about the report and everything we found, but no one could match the eloquence of John, who spoke immediately after me. I was so grateful to have a friend and a partner, literally standing across the aisle on that day.

Here is what he said about the use of torture: "I know from personal experience that the abuse of prisoners will produce more bad than good intelligence."

"I know victims of torture will offer intentionally misleading information if they think their captors will believe it."

"I know they will say whatever they think their torturers want them to say if they believe it will stop their suffering."

"Most of all, I know the use of torture compromises that which most distinguishes us from our enemies—our belief that all people, even captured enemies, possess basic human rights which are protected by international conventions the United States not only joined but for the most part authored."

There was no better spokesman against torture or for the report. When John McCain spoke on this floor in support of this report, people took notice and paid attention.

It wasn't just John's experience that made him so powerful on this subject. You could tell that he wholeheartedly believed what he was saying.

Here is how John wrapped up his remarks that day: "We have made our way in this often dangerous and cruel world not by just strictly pursuing our geopolitical interests, but by exemplifying our political values and influencing other nations to embrace them."

"When we fight to defend our security, we fight also for an idea—not for a tribe or a twisted interpretation of an ancient religion or for a King—but for an idea that all men are endowed by the Creator with inalienable rights."

"How much safer the world would be if all nations believed the same. How much more dangerous it can become when we forget it ourselves, even momentarily."

I ask unanimous consent that Senator McCain's remarks from December 9, 2014, be printed in the Record immediately following my remarks.

Of course, John also didn't just talk about those issues that he cared deeply about; he also acted.

We knew the report would shine a light on what the CIA had done, but it didn't do anything concrete to make sure this would never happen again.

John knew how the prior White House and Department of Justice had concocted twisted legal analyses that said techniques like stress positions, sleep deprivation, and waterboarding did not violate existing law. He had already passed legislation to prevent abuses by the Department of Defense, going back to the Detainee Treatment Act of 2005.

The Office of Legal Counsel in 2002 had given the legal approval to the CIA, even though laws were already on the books that clearly prohibited these acts.

U.S. domestic law already banned the use of torture, which it defined as "an act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control."

The United States was and remains a signatory to the Geneva Conventions and the Convention Against Torture, which similarly banned torture, as well

as cruel, inhuman, and degrading treatment and punishment.

Nonetheless, the CIA had developed—through the use of two contractors, so-called enhanced interrogation techniques, and the Department of Justice had said they were acceptable.

John believed, as did I, that if lawyers could find legal loopholes to allow the CIA to waterboard people in its custody, then the laws needed to be tightened.

We came up with a simple fix to make the law explicit and crystal clear. In an amendment that John sponsored to the defense authorization bill, we applied the restrictions of the Army Field Manual across the government, including to the CIA.

This manual not only bans specific interrogation techniques; it lays out those techniques that are authorized for use. Never again could a DOJ lawyer or a CIA interrogator mistake what was lawful from what was not.

The amendment also mandated that the International Committee of the Red Cross be allowed access to all detainees in U.S. custody, thereby ending the possibility of secret, undisclosed detention.

With his leadership, the amendment passed by a strong 78–21 vote, so that torture and cruel and degrading treatment will never be allowed.

Of course, John was prolific during his years in the Senate, and many Senators have spoken about other aspects of his work.

He traveled the world as a champion for democracy, visiting countries like Syria and Ukraine and doing all he could to improve the lives of millions.

He was a critical player in the process to restart diplomatic relations with Vietnam.

John was never afraid to reach across the aisle, most notably when he joined with Russ Feingold on campaign finance reform legislation.

John had a firm sense of right and wrong, and you saw that every day in the issues he worked on.

John McCain's life was one of strength and of commitment. He was a great patriot and a fine, fine U.S. Senator. He worked for this country to better it for 60 years. That is a pretty good record, and I am thankful for the opportunity to have known him and worked with him.

To Cindy and the rest of John's family, my heart goes out to you, but rest well knowing that you had a great man in your lives.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATOR JOHN MCCAIN FLOOR REMARKS—
DECEMBER 9, 2014

Madam President, I wish to begin by expressing my appreciation and admiration to the personnel who serve in our intelligence agencies, including the CIA, who are out there every day defending our Nation.

I have read the executive summary and I also have been briefed on the entirety of this report. I rise in support of the release—the long-delayed release—of the Senate Intel-

ligence Committee's summarized unclassified review of the so-called enhanced interrogation techniques that were employed by the previous administration to extract information from captured terrorists. It is a thorough and thoughtful study of practices that I believe not only failed their purpose to secure actionable intelligence to prevent further attacks on the United States and our allies, but actually damaged our security interests as well as our reputation as a force for good in the world.

I believe the American people have a right—indeed a responsibility—to know what was done in their name, how these practices did or did not serve our interests, and how they comported with our most important values.

I commend Chairwoman Feinstein and her staff for their diligence in seeking a truthful accounting of policies I hope we will never resort to again. I thank them for persevering against persistent opposition from many members of the intelligence community, from officials in two administrations, and from some of our colleagues.

The truth is sometimes a hard pill to swallow. It sometimes causes us difficulties at home and abroad. It is sometimes used by our enemies in attempts to hurt us. But the American people are entitled to it nonetheless. They must know when the values that define our Nation are intentionally disregarded by our security policies, even those policies that are conducted in secret. They must be able to make informed judgments about whether those policies and the personnel who supported them were justified in compromising our values, whether they served a greater good, or whether, as I believe, they stained our national honor much harm, and little practical good.

What were the policies? What was their purpose? Did they achieve it? Did they make us safer, less safe, or did they make no difference? What did they gain us? What did they cost us?

What did they gain us? What did they cost us? The American people need the answers to these questions. Yes, some things must be kept from public disclosure to protect clandestine operations, sources, and methods, but not the answers to these questions. By providing them, the committee has empowered the American people to come to their own decisions about whether we should have employed such practices in the past and whether we should consider permitting them in the future.

This report strengthens self-government and ultimately, I believe, American security and stature in the world. I thank the committee for that valuable public service.

I have long believed some of these practices amounted to torture as a reasonable person would define it, especially but not only the practice of waterboarding, which is a mock execution and an exquisite form of torture. Its use was shameful and unnecessary, and, contrary to assertions made by some of its defenders and as the committee's report makes clear, it produced little useful intelligence to help us track down the perpetrators of 9/11 or prevent new attacks and atrocities.

I know from personal experience that the abuse of prisoners will produce more bad than good intelligence. I know victims of torture will offer intentionally misleading information if they think their captors will believe it. I know they will say whatever they think their torturers want them to say if they believe it will stop their suffering. Most of all, I know the use of torture compromises that which most distinguishes us from our enemies—our belief that all people, even captured enemies, possess basic human rights which are protected by international

conventions the United States not only joined but for the most part authored.

I know too that bad things happen in war. I know that in war good people can feel obliged for good reasons to do things they would normally object to and recoil from. I understand the reasons that governed the decision to resort to these interrogation methods, and I know that those who approved them and those who used them were dedicated to securing justice for victims of terrorist attacks and to protecting Americans from further harm. I know their responsibilities were grave and urgent and the strain of their duty was onerous. I respect their dedication, and I appreciate their dilemma. But I dispute wholeheartedly that it was right for them to use these methods which this report makes clear were neither in the best interests of justice, nor our security, nor the ideals we have sacrificed so much blood and treasure to defend.

The knowledge of torture's dubious efficacy and my moral objection to the abuse of prisoners motivated my sponsorship of the Detainee Treatment Act of 2005, which prohibits "cruel, inhuman or degrading treatment" of captured combatants, whether they wear a nation's uniform or not, and which passed the Senate by a vote of 90 to 9.

Subsequently, I successfully offered amendments to the Military Commissions Act of 2006, which, among other things, prevented the attempt to weaken Common Article 3 of the Geneva Conventions and broadened definitions in the War Crimes Act to make the future use of waterboarding and other "enhanced interrogation techniques" punishable as war crimes.

There was considerable misinformation disseminated then about what was and wasn't achieved using these methods in an effort to discourage support for the legislation. There was a good amount of misinformation used in 2011 to credit the use of these methods with the death of Osama bin Laden. And there is, I fear, misinformation being used today to prevent the release of this report, disputing its findings and warning about the security consequences of their public disclosure.

Will the report's release cause outrage that leads to violence in some parts of the Muslim world? Yes, I suppose that is possible and perhaps likely. Sadly, violence needs little incentive in some quarters of the world today. But that doesn't mean we will be telling the world something it will be shocked to learn. The entire world already knows we waterboarded prisoners. It knows we subjected prisoners to various other types of degrading treatment. It knows we used black sites, secret prisons. Those practices haven't been a secret for a decade. Terrorists might use the report's reidentification of the practices as an excuse to attack Americans, but they hardly need an excuse for that. That has been their life's calling for a while now.

What might come as a surprise not just to our enemies but to many Americans is how little these practices did aid our efforts to bring 9/11 culprits to justice and to find and prevent terrorist attacks today and tomorrow. That could be a real surprise since it contradicts the many assurances provided by intelligence officials on the record and in private that enhanced interrogation techniques were indispensable in the war against terrorism. And I suspect the objection of those same officials to the release of this report is really focused on that disclosure—torture's ineffectiveness—because we gave up much in the expectation that torture would make us safer—too much.

Obviously, we need intelligence to defeat our enemies, but we need reliable intelligence. Torture produces more misleading information than actionable intelligence.

And what the advocates of harsh and cruel interrogation methods have never established is that we couldn't have gathered as good or more reliable intelligence from using humane methods.

The most important lead we got in the search for bin Laden came from using conventional interrogation methods. I think it is an insult to the many intelligence officers who have acquired good intelligence without hurting or degrading prisoners to assert that we can't win these wars without such methods. Yes, we can and we will.

But in the end torture's failure to serve its intended purpose isn't the main reason to oppose its use. I have often said and I will always maintain that this question isn't about our enemies; it is about us. It is about who we were, who are, and who we aspire to be. It is about how we represent ourselves to the world.

We have made our way in this often dangerous and cruel world not by just strictly pursuing our geopolitical interests but by exemplifying our political values and influencing other nations to embrace them. When we fight to defend our security, we fight also for an idea—not for a tribe or a twisted interpretation of an ancient religion or for a King but for an idea that all men are endowed by the Creator with inalienable rights. How much safer the world would be if all nations believed the same. How much more dangerous it can become when we forget it ourselves, even momentarily.

Our enemies act without conscience. We must not. This executive summary of the committee's report makes clear that acting without conscience isn't necessary. It isn't even helpful in winning this strange and long war we are fighting. We should be grateful to have that truth affirmed.

Now, let us reassert the contrary proposition: that is it essential to our success in this war that we ask those who fight it for us to remember at all times that they are defending a sacred ideal of how nations should be governed and conduct their relations with others—even our enemies.

Those of us who give them this duty are obliged by history, by our Nation's highest ideals and the many terrible sacrifices made to protect them, by our respect for human dignity, to make clear we need not risk our national honor to prevail in this or any war. We need only remember in the worst of times, through the chaos and terror of war, when facing cruelty, suffering, and loss, that we are always Americans and different, stronger, and better than those who would destroy us.

Madam President, I yield the floor.

Mr. ENZI. Mr. President, today I would like to honor the late Senator John McCain. I appreciate having this opportunity to celebrate the life and accomplishments of John McCain and to mourn him as he has lost his battle with cancer. His loss will be deeply felt by all of us here in the Senate, not only by those of us who served with him, but also by the many staff and individuals he has worked with over time.

Senator McCain was a true patriot who dedicated his life to serving others. His dedication to his country and its defense was unmatched. After graduating from the Naval Academy, he served for two decades in the Navy. He was tested as only few men ever are after his plane crashed in Vietnam. He showed incredible resilience and moral fortitude during his time as a prisoner of war. After leaving the Navy, he rep-

resented the great State of Arizona in Congress for 35 years, first in the House and later in the Senate. His sense of duty, loyalty, honor, and compassion were bedrock strong and served to guide him in his long career of public service.

He rightfully earned his Maverick moniker during his long public career with his iron strength of will to stand up and fight for what he believed was right, no matter the political consequences. He was renowned for his support of the military. John showed unwavering support to freedom, democracy, and the country he loved. He found it in himself to push to reopen ties to Vietnam, believing that was how we could begin to heal the wounds of war. He was a lively speaker, a straight talker, and a prodigious leader, but more than that, he was a good man. I had the opportunity to work with John on several pieces of legislation over time, and every time, I was impressed with his ability to cut right to the heart of an issue. He always put what he thought would be best for his constituents and America above any political concerns or niceties. He was passionate throughout his long years of service to the people of Arizona.

John was a man of faith. He had a quiet faith, one that was beyond simple expression. It meant, when he did speak of his faith, it made it that much more impactful. He once recounted how it was his faith in God, faith in his fellow prisoners, and faith in his country that helped him make it through his time as a prisoner of war in Vietnam. In an interview John gave in 2008, he shared what it meant to him to be a Christian, "It means I'm saved and forgiven." During that same interview, he mentioned a guard at that prisoner of war camp in Vietnam who shared his faith one Christmas. "He stood there for a minute, and with his sandal on the dirt in the courtyard, he drew a cross and he stood there, and a minute later, he rubbed it out, and walked away. For a minute there, there were just two Christians worshipping together." His moral compass was guided strongly by his faith in God, and it meant that he always did what he thought was right, rather than doing what was easy. I know that his quiet devotion and many of his other qualities earned him respect from Members on both sides of the aisle.

While America is remembering a war hero, veteran, Senator, and Presidential candidate, his family is remembering a husband, a father, a brother and experiencing a world that seems incomplete without him in it. My wife Diana and I send our thoughts and deepest prayers to his wife Cindy and the entire McCain family, as we mourn the passing of an American hero.

How can I adequately praise the life of a man who has had such a long and storied career, one with so many accomplishments? In an interview, John talked about how he would want to be remembered. He wanted people to remember him as a guy who "served his

country.” I intend to do just that. John McCain served his country. He served it well. America will never forget that service.

Thank you. God bless you. May you find peace.

Mr. MENENDEZ. Mr. President, I come to the floor to today to pay tribute to an American hero, a beloved colleague, and a friend, a man who lived a life that embodied service, sacrifice, and statesmanship, a patriot whose presence here in the U.S. Senate will be sorely missed for years to come but whose legacy will last for generations.

As so many of my colleagues have said in recent days, you never forget your first time meeting Senator John McCain. For me, it was early 2006, when I was appointed to the U.S. Senate and in the midst of my campaign for a full term that November. Naturally, I wanted to establish a record that could show I was an effective Senator. I had submitted an amendment to the budget aimed at reducing the burden on New Jersey taxpayers, and while the Republican majority wasn’t thrilled I was the one putting it forward at the time, it had strong bipartisan support. It could have easily passed with a voice vote but I wanted to get my colleagues on the record. I wanted a rollcall vote, so that is what I requested.

Shortly thereafter, Senator John McCain came barreling towards me on the floor, calling me out. “Bob, you are a jerk!” he said.

I was taken aback. We weren’t on a first-name basis back then. “Senator,” I said, “what is the problem?”

“This didn’t need a roll call vote. That makes you a jerk!”

Well, at that point, the Hudson County in me kicked in, and I fired back with some language I think is best left out of the CONGRESSIONAL RECORD.

Senator McCain stormed off, leaving me bewildered. Wasn’t this supposed to be the world’s greatest deliberative body?

I walked over to minority leader Harry Reid to ask what that was all about. “Welcome to the Senate, that’s John McCain,” he said.

Apparently, John had a foreign trip scheduled, and he was anxious to leave Washington, so my rollcall vote was a kink in his schedule.

Later, when I retold the story to my friend Senator LINDSEY GRAHAM, he said, “Good for you for standing up to him, Bob. You earned his respect.”

I share this story today not as an example of John McCain’s temper—which he was well known for, along with his biting wit, of course—I share it for two reasons. First, it is a reminder that John admired people willing to stand their ground, not out of stubbornness or rigid partisanship but out of principle. He respected people for the strength of their convictions.

The second reason I tell this story is because it is a reminder that, to John McCain, being a U.S. Senator was about more than passing laws. It was

about championing American values around the world. Whether he was traveling abroad to meet with our troops or foreign heads of state, Senator McCain never hesitated to stand up for American ideals of democracy, human rights, and freedom on the global stage.

Yes, he was a relentless advocate for the American military, but he ultimately believed that our Nation’s strength came not just from the might of our military but the power of our ideals. I saw Senator McCain’s commitment to those ideals up close back when I served as chairman of the Senate Foreign Relations Committee, during which he was a member.

Russia, which had opposed Ukrainian independence from the moment it was declared in 1991, had invaded the sovereign nation of Ukraine and illegally annexed Crimea. John and I both understood then that Putin’s annexation of Crimea wasn’t about a territorial dispute. It was about exerting Russia’s geopolitical power and undermining the liberal international order the United States helped build in the aftermath of World War II and worked to strengthen throughout the challenges of the Cold War.

John was instrumental in crafting and passing the package of sanctions we put forward to counter Russian aggression and promote the interests of the Ukrainian people in their ongoing struggle for sovereignty and freedom. He understood better than anyone that we had to stand on the side of the Ukrainian people, not just because of Russia’s hostile takeover of Crimea, but for the Kremlin’s years of interference in Ukraine, from its cyberattacks on Ukrainian infrastructure to its deliberate efforts to manipulate and corrupt its democratic process.

I will never forget his support and counsel as we worked to pass the Ukraine Freedom Support Act in the months that followed, a piece of legislation that made crystal clear America’s unwavering support for the people of Ukraine and their right to sovereign self-determination, democracy, territorial integrity, and freedom.

Senator McCain believed that, as Americans, we have a responsibility to support all people in their struggle against tyranny, to stand up for human dignity against those who deny it, and to share American ideals like freedom, democracy, and human rights around the world, bringing hope to the hopeless and light to the darkest corners of the Earth. Perhaps that is because John himself spent so many years in one of the Earth’s darkest corners, as a prisoner of war in Vietnam. His commitment to country was tested in ways that few of us can imagine—the pain he suffered, the torture he endured, the faith he kept. There is no question in my mind that John’s time spent as a prisoner of war shaped him as a legislator and not just with respect to foreign policy. He may have been a

staunch Republican, but he never treated his Democratic colleagues as if they were evil, perhaps because he had seen real evil. Disagreeing on the issues didn’t make us enemies, because we were all Americans.

Some have accused Senator McCain of abandoning his conservatism whenever he sought common ground. Those accusations are foolish. Take it from me as a Member of the bipartisan Gang of 8 who worked on historic immigration reforms back in 2013. When I entered those negotiations, I did so with a healthy dose of skepticism towards Senator McCain, and I imagine he did so with me same way. After all, I was the Hispanic Democrat from New Jersey who never hesitated to voice my problems with the McCain-Kennedy immigration negotiations of 2007 loudly and clearly.

It is easy to demonize the other side from afar, but when you sit in a room with someone for probably 100 hours of negotiations, as I did with Senator McCain, you begin to lift, ever slowly, the veil of distrust between you. You soon realize there is far more that unites you as Americans than divides you as partisans.

John never relented in his commitment to border security, just as I never relented in my commitment to bringing the undocumented out of the shadows and towards a path to citizenship. We disagreed pretty much constantly; yet we built trust. We engaged in the give-and-take of compromise, and we emerged from the Gang of 8 negotiations with a compassionate and comprehensive immigration reform bill that ultimately passed the Senate with a bipartisan supermajority.

That historic legislation never received a vote in the House of Representatives, but I remain as committed as ever to the cause of comprehensive immigration reform; reform built on mutual trust and good-faith compromise, on both pragmatism and idealism, and on a shared commitment to solving the greatest challenges of our time.

John McCain wasn’t perfect. No one is. John McCain made mistakes. We all do. But what made him a giant of the Senate, in my opinion, was his willingness to put country over party and patriotism over partisanship.

In recent days, there has been a lot of discussion about what would be a fitting tribute to Senator John McCain. I would certainly name a building in his honor and hope we do, but I don’t think we should stop there. I believe it would be a great tribute to Senator John McCain if all of us here in this body strived to look at each other through his lens. We are humble servants for something far greater and bigger than ourselves. We are bestowed by the American people an opportunity to make an imperfect nation even better, and we are far more likely to succeed at that mission when we can rise above the politics of division, look beyond the news cycle, and work relentlessly toward common cause.

Mrs. MCCASKILL. Mr. President, today I wish to recognize the extraordinary life of my friend, colleague, and role model, Senator John McCain.

Senator McCain lived a life of superlatives. He was a war hero whose conduct in the face of unimaginable adversity spoke to the very essence of who he was as a man. He was a consummate statesman, who spent a career in public service working to foster consensus on the most intractable and important problems facing our Nation. He was a gentleman of the highest caliber, who understood that, although we may discuss, argue, and disagree, our common bond as Americans is stronger than the passing tempest of political debate.

The measure of a man like Senator McCain can be seen in the outpouring of sympathy from friends and colleagues across the political spectrum. He spoke his mind, and more importantly, he spoke his conscience. He was never afraid to tell those in power they were wrong and those suffering injustice that the United States of America would not abandon them. His commitment to doing what was right transcended political ideology, and I am confident that future generations will study his legacy as we have studied the great leaders of the past.

It is not difficult to find examples of Senator McCain's integrity in a career marked by such moments. I know that I particularly admired his steadfast courage in opposing and working to eliminate torture by the United States of America. He, more so than most, knew what that legacy would mean to our country. He knew that, if we were torturing, our servicemen and women would be tortured. He was willing to stand up for what was right and ensured that we would live up to our promise as a nation. His unwavering voice on the issue served, as it has so many times, as our national conscience, and we are all better for it.

We had our brawls every once in a while, but it usually ended with a joke and a laugh and a commitment to work together on the next problem that our country faced. I will cherish the memories I have of working with Senator McCain on issues related to eliminating earmarks, protecting children from human-trafficking, and providing the necessary resources to the men and women of the Armed Forces whom he loved and respected dearly.

His wit, intellect, and humor were the hallmark of a man who cannot be replaced; however, it is my hope that we might use this sad occasion to unite together around the principles that he stood for. I join my voice to the thousands that have spoken to his character as a colleague and as a friend and extend my most heartfelt sympathies to his family. I will miss him terribly, the Senate will miss him terribly, and our country will miss him terribly.

Ms. WARREN. Mr. President, today I wish to pay tribute to a true American hero, my friend and colleague Senator John McCain.

To know John was to know a man who was fiercely devoted to his family, his constituents, and his country. My thoughts and prayers are with his family and loved ones during this difficult time.

As a nation, we all share in the sense of emptiness his passing has left behind, but we also share a profound sense of gratitude for the life John lived and the legacy of service and unwavering commitment he has left us to cherish.

Many Americans felt a personal connection to John McCain. Our men and women in uniform always knew he was on their side; he was one of them. John understood better than anyone what it meant to send people into combat. So much of his work in the Senate was devoted to making sure our troops got the training, equipment, and pay that they deserved.

Last year, I had the honor of traveling with John on one of his final trips to the Middle East. I had the chance to see how deeply revered he was by everyone in uniform. They all knew the story—how John McCain, the war hero, spent nearly 6 years as a prisoner of war in North Vietnam; how, when offered abrupt release less than a year after his Navy jet was shot out of the air, John McCain refused to be released while his brothers were still in captivity; how he was isolated, tortured, and beaten so badly that he carried the physical consequences of his loyalty to our country with him for the rest of his life; how he could have avoided it all but endured out of love and loyalty to his fellow servicemembers.

Yeah, they knew the story and every single servicemember we saw treated John like a celebrity rockstar, and that is because he was.

John was a deeply principled man. I had the honor of working with John closely in the fight to reinstate Glass Steagall, and boy, was it a fight. Throughout the entire battle, John would always tease me about pulling my weight in "getting this thing done," as he would say. "Show some fight, girl," "Don't tell me you're afraid. Get in there—throw some punches." That was John's approach in life: If you're going to be in a fight, you had better give it your all.

Don't get me wrong: John and I disagreed on many things and sometimes quite forcefully, but even when we disagreed, I always respected that his heart was focused on doing what he thought was best for the American people. I remember expressing to John my views on the most effective strategy in Iraq and Afghanistan, that there are simply some problems that cannot be solved through military action alone, we can't simply fight our way to peace and we need to bring our troops home. Respectfully, John would disagree and proceed to energetically walk me through why he believed in the benefits of staying longer.

Democrat or Republican, foreign leader or President of the United

States, John McCain would go toe-to-toe with anyone to fight for what he thought was right. He applied these principles to his service to our country, in his commitment to the people of Arizona, and his abiding love and defense of the American people. At a time when character and integrity are under siege, the entire Nation mourns the loss of a public servant who lived his life with courage and conviction.

John ran the Armed Services Committee with an iron fist, but also with a respect for the importance of bipartisanship and a basic sense of fairness no one could ever ignore. If you came to the table, ready, prepared to work, John made sure you were heard. There were so many occasions where John would jump in while I was questioning a witness because he was listening and hear how my questions were being dodged and disregarded. His admonishment to the witness was like a whip: "If you can't come up with better answers what are you here for?"

I count it a blessing to have had the honor to serve with Senator John McCain in the U.S. Senate. If there ever was a true American patriot, John McCain was that patriot. I will miss his strength, I will miss his maverick spirit, but most of all, I will miss his kindness.

Mrs. FISCHER. Mr. President, today I wish to join my colleagues in saying goodbye to our friend and mentor, John McCain.

As our country and the world grieves for his loss, we remember him as he was: a father, husband, grandfather, a war hero, and a dedicated public servant who loved this country.

We remember his extraordinary story and how the tragic and painful experiences he endured gave him the uncommon strength we all knew so well.

Most of all, I remember John for his passion. He was a fearless advocate for American values and a champion of democratic ideals.

When I was elected to serve the people of Nebraska in this Chamber, I became a member of the Senate Armed Services Committee. Serving on this committee has been an honor, but one of the greatest privileges it offered was the opportunity to work with John McCain.

As a senior member and chairman, Senator McCain set the tone for the committee. We all benefited from his good instincts, his unfailing energy, his unwavering values, and, of course, his sense of humor.

His leadership fostered an environment that led to bold reforms. He embraced and encouraged the heated debates. But John knew how to unite the committee, how to compromise, and how to refocus members on our fundamental responsibility: providing for the defense of the Nation he loved so dearly.

As much as John was an inspiration to us, he was truly a global figure who took his message of liberty to some of the darkest regions of the globe. All

around the world, people had such respect for John McCain. Traveling with him, I witnessed firsthand the weight and authority his words carried with foreign leaders. This strong global support reflects the effect he had on this world and the legacy he leaves behind.

Last fall, Senator McCain addressed the brigade of midshipmen at the U.S. Naval Academy. He said: "My appreciation for those lessons and for the friendships I made here bring me back often. So does my gratitude for the life of adventure the Naval Academy prepared me for, and for the privilege of being a bit player in the story of America that the Navy made possible."

John was not just a bit player in our Nation's story. He was a man who served our country in war and peace with courage and honor.

This weekend, John will return to Annapolis for a final time, but generations from now, Americans will still be inspired by his story, that of a hero committed to his nation and willing to live a life of service.

He has carried our Nation's highest ideals through the darkest of times, and he remains an enduring example of selfless dedication to country.

I know I join so many of my colleagues here in the Senate in sending our love and prayers to Cindy and the rest of John's family, who supported him every step of the way.

John McCain will certainly be missed here in the U.S. Senate.

Though he is no longer with us, his steadfast commitment to the ideals of our Nation will not be forgotten here, across the country, or around the globe.

Thank you.

CONFIRMATION OF CHARLES BARNES GOODWIN

Mr. INHOFE. Mr. President, I would like to congratulate Judge Charles Goodwin of Oklahoma City on his confirmation today as a U.S. district judge for the Western District of Oklahoma. Judge Goodwin most recently served the Western District as a magistrate judge, and he has done so admirably and faithfully since his appointment in 2013.

Judge Goodwin's service on the Federal bench, combined with his career as a civil litigator before various Federal district courts, U.S. circuit courts of appeal, the U.S. Supreme Court, and as a Federal law clerk provides him with the experience, knowledge, and perspective necessary to take on his new role of Federal district court judge.

Furthermore, Judge Goodwin has been a leader on Federal civil procedure. He served as chair of the Western District's Local Civil Rules Committee, and, while in private practice, he taught seminars and authored articles on civil procedure for the Oklahoma Bar Association. Judge Goodwin is also active in his community, providing legal assistance to homeless veterans and volunteering in support of

the improvement of public education in Oklahoma.

During the process of looking for capable, well-qualified candidates for the Western District, my office heard from many people in the Oklahoma legal community who worked with Judge Goodwin for many years and know him best. I think these colleagues and legal contemporaries speak better to the type of man and judge he is, and I would like to share some of their thoughts with you.

Kevin Donelson, current president of the Oklahoma Bar Association, wrote, "I have personally appeared before Magistrate Judge Goodwin on a number of matters. He has been judicious and courteous in all of the matters that I have appeared before him. The United States of America and the Western District of Oklahoma would [be] lucky to have Magistrate Judge Goodwin be a United States District Judge."

Seventeen former past presidents of the Oklahoma Bar Association wrote, "Each of us knows Charles in person or by reputation and believes that he is highly qualified for this position. As a lawyer and a judge, Charles has always exhibited a high degree of ethical conduct, professionalism, competence, hard work, and, as a judge, exceptional judicial temperament. We are confident he would make an outstanding District Judge . . ." Mr. Harry Wood, a supervisor and then colleague of Judge Goodwin's at Crowe & Dunlevy, wrote, "In all my dealings with him, I found him to be extremely capable, highly dependable, very hard-working, and well organized." He went on to say, "I found him given to decency, honesty, integrity, even temper and good humor . . . I cannot think of anyone that has a higher level of character, integrity, and judicial temperament." Mr. Daniel Webber, a former Assistant U.S. Attorney and U.S. Attorney for the Western District, stated that Judge Goodwin as a litigator "had a strong reputation for being a diligent but ethical advocate. I have never heard his integrity or his temperament called into question."

Finally, I will leave you with some words from Chief Judge Joe Heaton of the U.S. District Court for the Western District of Oklahoma. Judge Heaton wrote, "I have reviewed various indicators of Judge Goodwin's productivity, such as the number of reports and recommendations generated by him and the complexity of the matters assigned to him. I believe his productivity to be fully comparable with that of the other magistrate judges of this court." Furthermore, Judge Heaton states, "Based on his service here and his experience as a partner and practicing lawyer with one of Oklahoma's largest law firms, I believe Judge Goodwin is plainly qualified to be a U.S. District Judge."

Based on Judge Goodwin's experience, expertise, and stature in the Oklahoma legal community, I have fully supported his nomination as a U.S. district judge for the Western Dis-

trict of Oklahoma and congratulate him on his well-deserved confirmation.

CONFIRMATION OF LYNN A. JOHNSON

Mr. WYDEN. Mr. President, today the Senate confirmed the nomination of Lynn Johnson to lead the Administration for Children and Families. In less chaotic times, she would be running an office that few people outside of Washington would hear much about. In the coming months, however, she will be responsible for undoing a lot of the damage this administration has done with respect to separating immigrant children from their parents.

There are a few key matters I want to discuss today as this debate closes.

As the ranking Democrat on the Finance Committee, I voted against sending Ms. Johnson's nomination to the Senate floor. There were far too many unanswered questions and misleading statements from the administration regarding its family separation policy.

In the last week, I spoke with Ms. Johnson at length about what she needs to accomplish if she is confirmed. She committed to me that she would change how the Administration for Children and Families, and particularly the Office of Refugee Resettlement, handle several key policies. I want to guarantee that those commitments are laid out on the record.

First, Ms. Johnson made several commitments to improve the treatment of the kids in the custody of the Office of Refugee Resettlement or in facilities that receive grants from ORR. Those changes include prohibiting solitary confinement as a punishment or an attempt to change behavior; prohibiting arbitrary restraint policies; prohibiting the distribution of psychotropic medications or sedatives outside of emergency situations; unless the agency or facility has the informed, written consent of a parent or guardian; prohibiting any security measures that are not necessary for children's protection, such as denying children access to drinking water or preventing them from making private phone calls; and guaranteeing the confidentiality of information disclosed by children to therapists and counselors during treatment.

Ms. Johnson also committed to ensuring that separated children can call their parents or legal guardians as frequently as they wish. Calls can be monitored if there are documented safety concerns, but otherwise, ORR and private facilities cannot prevent kids from talking to their parents or guardians. If the parent or guardian is in the custody of Homeland Security, the agencies must establish a way to connect them by phone.

Finally, Ms. Johnson committed to conducting a full review, within 90 days, of the oversight, staffing, training, medication, and licensing policies for ORR-funded facilities. She will issue a report to Congress describing